

## **REMARKS/ARGUMENTS**

Applicants respond herein to the Office Action of February 20, 2009.

Claims 2, 4-12 and 23-29 were pending in the Application prior to the present Amendment. Claims 8-12 and 28 are withdrawn as being directed to non-elected species. Applicants add Claims 30-31 and respectfully request a reconsideration of the rejections.

In the Office Action, Claims 23-27 and 29 were rejected under 35 U.S.C. 102(b) as being anticipated by Sakiyama et al. (6,063,023). Claims 2 and 4-7 were rejected under 35 U.S.C. 103(a) as being unpatentable over Sakiyama in view of Heinrichs et al. (6,092,722).

Claim 23 recites that the information device containing the optical information is disposed within the optical adaptor. This limitation of Claim 23 is not disclosed or even suggested in the cited prior art.

Specifically, Sakiyama discloses a measuring endoscope system in which optical information for a particular optical adaptor is recorded on a floppy disk FD 33, which is a physically separate device from the optical adaptor. The optical information recorded on the floppy disk FD 33 is later retrieved by reading the FD 33 on a floppy disk drive FDD 42. See, Sakiyama, col. 6, lines 9-14, and col. 7, lines 30-33. Therefore, Sakiyama does not disclose that the information device containing the optical information is disposed within the optical adaptor, as required by Claim 23.

Moreover, Heinrichs does not remedy this deficiency of Sakiyama.

Accordingly, Claim 23 is allowable over the prior art of record.

Claims 2, 7, 24-27 and 29 depend directly or indirectly from Claim 23. Therefore, Claims 2, 7, 24-27 and 29 are allowable at least for the same reasons as Claim 23 and, further, on their own merits.

New Claim 30 includes all limitations found in Claim 23 and further recites that "reading of the optical characteristic information from the optical adaptor to the reading section is performed upon attachment of the optical adaptor to the tip of the endoscope insertion section." This limitation of the new Claim 30 is not disclosed or even suggested by the cited prior art. Specifically, as explained above, the optical information in Sakiyama is read when the FD 33 is

inserted into the FDD 42, and not upon the attachment of the optical adaptor to the tip of the endoscope insertion section. Therefore, Claim 30 is allowable over the cited prior art.

New Claim 31 includes all limitations found in Claim 23 and further recites that the reading section includes a joining terminal, which is positioned in physical contact with the optical adaptor. Further, Claim 31 recites that reading of the optical characteristic information from the optical adaptor to the reading section is performed via the physical contact between the optical adaptor and the joining terminal of the reading section.


These limitations of Claim 31 are not disclosed or even suggested in the cited prior art.

Specifically, in Sakiyama reading of the optical information for a particular optical adaptor is performed by reading the floppy disk FD 33 associated with this adaptor by the floppy disk drive FDD 42. Therefore, Sakiyama does not disclose or even suggest reading the optical characteristic information from the optical adaptor to the reading section via the physical contact between the optical adaptor and the joining terminal of the reading section, as required by the new Claim 31. Heinrichs does not remedy this deficiency of Sakiyama. Specifically, in Heinrichs, transmission of information between the IC component 30 and the separate unit 10 is accomplished through a "touch-free transmission system." See, Heinrichs, col. 5, lines 37-38. Thus, Heinrichs teaches away from the above limitation of the new Claim 31.

Reconsideration of the rejections and allowance of Claims 2, 4-7, 23-27 and 29-31 is respectfully requested.

Respectfully submitted,

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ANNA VISHEV  
Registration No.: 45,018  
OSTROLENK, FABER, GERB & SOFFEN, LLP  
1180 Avenue of the Americas  
New York, New York 10036-8403  
Telephone: (212) 382-0700

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